

IN THE SUPREME COURT OF THE STATE OF DELAWARE

KADIR MCCOY,	§
	§ No. 221, 2019
Defendant Below–	§
Appellant,	§
	§
v.	§ Court Below–Superior Court
	§ of the State of Delaware
STATE OF DELAWARE,	§
	§ Cr. ID 1501018069 (N)
Plaintiff Below–	§
Appellee.	§

Submitted: June 24, 2019

Decided: June 25, 2019

Before **STRINE**, Chief Justice; **VALIHURA** and **VAUGHN**, Justices.

ORDER

Upon consideration of the Rule to Show Cause and the appellant’s response, it appears to the Court that:

(1) On May 21, 2019, Kadir McCoy filed a notice purporting to appeal from an order of the Superior Court dated May 8, 2019. McCoy did not attach a copy of the order from which he filed the appeal. After a review of the Superior Court docket revealed that no final order had been entered on May 8, 2019, the Clerk of the Court issued a notice to McCoy to show cause why this appeal should not be dismissed.

(2) On June 24, 2019, in response to the notice to show cause, McCoy filed a letter with the Court arguing his appeal should not be dismissed because a court of

law has not considered the merits of his motion for postconviction relief. McCoy's filing is unresponsive to the Court's notice to show cause. A review of the Superior Court docket further reveals that McCoy's motion for postconviction relief filed on January 17, 2019, remains pending in the Superior Court. If the Superior Court denies McCoy's motion for postconviction relief, he may then appeal to this Court for a review of that final judgment.

NOW, THEREFORE, IT IS HEREBY ORDERED, under Supreme Court Rule 26(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Karen L. Valihura
Justice